

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a)

Docket Number (Optional)

First Named Inventor: Pablo E. Corredor Art Unit:Application Number: 10/694,231 Examiner:Filed: 10/28/2003Title: Beverage Bottle and Can Opener

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact
Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.

NOTE: A grantable petition requires the following items:

- (1) Petition fee.
- (2) Reply and/or issue fee.
- (3) Terminal disclaimer with disclaimer fee-required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay.

1. Petition fee

☒ Small entity - fee \$ 55.00 (37 CFR 1.17(l)). Applicant claims small entity status.
See 37 CFR 1.27.

☐ Other than small entity - fee \$ _____ (37 CFR 1.17(l)).

2. Reply and/or fee

A The reply and/or fee to the above-noted Office action in the form of
an Affidavit (identify the type of reply):

☐ has been filed previously on _____

☒ is enclosed herewith.

B The issue fee of \$ _____

☐ has been filed previously on _____

☐ is enclosed herewith.

[Page 1 of 3]

This collection of information is required by 37 CFR 1.137(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

12/15/2004 CNGUYEN 00000070 10694231

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55.00 DP

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

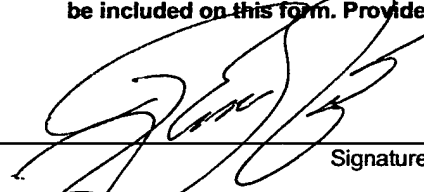
PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a)

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.


 Signature _____ Date 12-09-2004

Pablo E. Corredor
 Typed or printed name _____

1585 East 11th Avenue
 Address _____

Hialeah FL 33010
 Address _____

Registration Number, if applicable _____
(305) 883-9991
 Telephone Number _____

Enclosure ☒ Fee Payment

☒ Reply (to Notice of Abandonment only)

☐ Terminal Disclaimer Form

☒ Additional sheets containing statements establishing unavoidable delay (Affidavit)

☒ copy of postcard

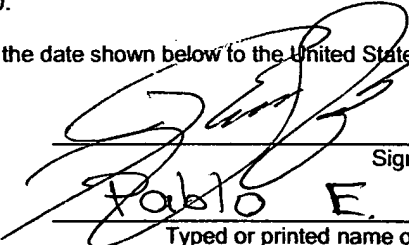
CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

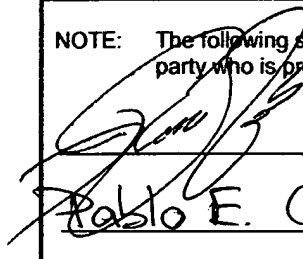
12-10-2004
 Date


 Signature _____

Pablo E. Corredor
 Typed or printed name of person signing certificate

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.

 A. Stefanini 12-09-2004
Signature Date
Pablo E. Corredor and Alejandro Stefanini
Typed or printed name Registration Number, if applicable

(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply.)

We did not reply to your Notice dated 03/18/04 because we never received said Notice, and are not aware of the content.

We are promptly replying to this Notice of Abandonment and submitting the required fee because we do not want this application be abandoned, as we have a very important business waiting for the patent.

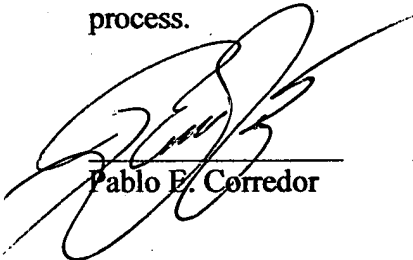
Please provide us with a copy of said Notice dated 03/18/04 so that we could properly reply to it. Thank you in advance.

(Please attach additional sheets if additional space is needed.)

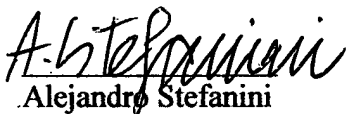


AFFIDAVIT

We, Pablo E. Corredor and Alejandro Stefanini, declare herein that we filed a utility patent application "Beverage Bottle and Can Opener" with the US Patent and Trademark Office on 10/28/2003. The **only** document we received since then, was our own pre-paid stamped post-card (copy is being enclosed) , which was previously attached to the original patent application package mailed out to USPTO. This was the only document that indicated the assigned application number (S/N: 10/694,231). It called our attention of the delay, however, we thought it may take up to a year for the Examiners to respond and issue an office action. Therefore, we declare herein that we have not received *said Notice* mailed on 03/18/2004 to us, until this unpleasant NOTICE OF ABANDONMENT. Also, we declare we have not moved from the address is currently recorded in your office, which is 1585 East 11th Avenue Hialeah, FL 33010. Finally, we respectfully request that *said Notice* be remailed to us in order to continue with the process.


Pablo E. Corredor

12-09-2004
Date


Alejandro Stefanini

12/9/04
Date

STATE OF FLORIDA)
: SS
COUNTY OF DADE)



SWORN TO AND SUBSCRIBED before me this 9 day of December, 2004


Notary Public



Patent Application (Utility)
"Beverage Bottle and Can Opener"

Mailed : 10/24/03 22278 U.S. PTO
10/694231



* Please acknowledge receipt of
the enclosed documents. Thank you.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/694,231	10/28/2003	Pablo E. Corredor	

Pablo E. Corredor
 1585 East 11th Avenue
 Hialeah, FL 33010

CONFIRMATION NO. 2955
ABANDONMENT/TERMINATION
LETTER



OC000000014669539

Date Mailed: 12/03/2004

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 03/18/2004.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

Z-Moguss

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE